

**MINUTES (approved)**  
**Scientific Advisory Committee Two-Day Meeting**  
**November 29 and 30, 2005**  
**DFS Central Laboratory, Classroom 1**

**November 29, 2005 at 1:30 p.m.**

Committee Members Present:

Dr. Jose Almirall  
Dr. Frederick Bieber  
Mr. Joseph Bono  
Dr. Dale Carpenter  
Mr. Dominic Denio  
Dr. Arthur Eisenberg  
Ms. Jo Ann Given  
Dr. Dan Krane  
Ms. Demris Lee  
Dr. Kevin McElfresh  
Dr. Alphonse Poklis  
Mr. Kenneth Smith

Committee Members Absent:

Dr. Paul Ferrara

Staff Members Present:

Steve Sigel, Deputy Director  
Pete Marone, Director of Technical Services  
Katya Herndon, Legal Counsel  
Wanda Adkins, Office Manager  
Charlie Oates, Legal Assistant  
Ron Layne, Director of Administration and Finance  
Dave Barron, Director of Central Laboratory  
Susan Scholl, Director of Eastern Laboratory  
Amy Wong, Director of Northern Laboratory  
Kevin Patrick, Director of Western Laboratory  
Dave Martin, Controlled Substances Section Chief  
Robin Young, Latent/Imaging Section Chief  
Jeff Ban, DNA Section Chief  
Alka Lohman, Breath Alcohol Section Chief  
Robin Young, Latent/Imaging Section Chief  
Julia Pearson, Toxicology Section Chief  
Jim Pickelman, Firearms/Toolmarks Section Chief  
Mike Moore, Questioned Documents Section Chief  
Dan Grinnan, Training Academy Section Chief,

Deanne Dabbs, Technical Administrator

#### Call to Order

Mr. Marone called the meeting to order.

#### Election of Chair, Appointment of Secretary

Mr. Marone asked for nominations for Chair of the Committee. Ms. Given nominated Mr. Bono, the nomination was seconded, and closed. A unanimous vote by the Committee members elected Mr. Bono as Chair.

Mr. Marone recommended the appointment of Charlie Oates as Committee Secretary. Mr. Bono accepted the recommendation and appointed Mr. Oates as Committee Secretary.

#### Presentations

Mr. Sigel gave an overview of the Department's organization and history, and introduced the Directors and other administration staff.

Mr. Marone gave an overview of the laboratory sections and introduced Sections Chiefs. There were several questions asked by Committee members regarding some of the sections and their functions.

Assistant Attorney General James Towey gave a presentation on the Conflict of Interest Act and the Freedom of Information Act.

Committee Members introduced themselves and presented their affiliations/backgrounds.

#### Adjourn

The Meeting adjourned for the day at 3:00 pm.

**November 30, 2005 at 8:00 a.m.**

#### Committee Members Present

Dr. Jose Almirall  
Dr. Frederick Bieber  
Mr. Joseph Bono  
Dr. Dale Carpenter  
Mr. Dominic Denio  
Dr. Arthur Eisenberg  
Dr. Paul Ferrara

Ms. Jo Ann Given  
Dr. Dan Krane  
Ms. Demris Lee  
Dr. Kevin McElfresh  
Dr. Alphonse Poklis  
Mr. Kenneth Smith

Staff Members Present:

Steve Sigel, Deputy Director  
Pete Marone, Director of Technical Services  
Katya Herndon, Legal Counsel  
Wanda Adkins, Office Manager  
Charlie Oates, Legal Assistant  
Dave Barron, Director of Central Laboratory  
Susan Scholl, Director of Eastern Laboratory  
Amy Wong, Director of Northern Laboratory  
Kevin Patrick, Director of Western Laboratory

Call to Order

Mr. Bono called the meeting to order.

By-Laws

Mr. Bono asked for comments on the proposed By-Laws. Mr. Bono began the discussion by asking for an explanation of the provisions related to executive session, which Ms. Herndon provided.

After a general discussion, Dr. Krane moved that the Committee amend the By-Laws to reflect that the list of reasons allowing for closed meetings was non-exhaustive. The motion was seconded and passed unanimously.

Dr. Bieber moved that since only a quorum is necessary to hold an official meeting, there be a mechanism for an absent member of the Committee to voice a dissenting opinion into the official record of the Committee. The Committee agreed that the Chair will table hot button issues to the following meeting if there is a measure of dissent or are absent Committee members at a meeting. However, the Committee agreed not to officially add this provision to the By-Laws. Dr. Bieber withdrew his motion.

Dr. Krane raised the issue of amending the By-Laws to allow for the creation of subcommittees. There was general discussion on the function of the By-Laws. Mr. Denio made a motion to amend the By-Laws to give the Chair the authority to create subcommittees, to appoint the Chair of each subcommittee and to define the scope of their function.

The motion was seconded and passed by a majority roll call vote of 7-5.

Committee Members voting “Aye” were Dr. Bieber, Mr. Denio, Dr. Eisenberg, Dr. Krane, Ms. Lee, Dr. Poklis, and Mr. Smith.

Committee Members voting “No” were Dr. Almirall, Dr. Carpenter, Dr. Ferrara, Ms. Given, and Dr. McElfresh.

Mr. Denio made a motion to amend the By-Laws to make them gender neutral. The motion was seconded and passed by a unanimous vote.

Dr. Bieber moved that there be a mechanism created for an absentee Committee member to vote. Mr. Bono emphasized that since the Committee meets only twice a year the Committee members have a responsibility to attend meetings absent exigent circumstances. Dr. Bieber withdrew the motion.

Dr. Almirall made a motion to accept the By-Laws as amended. The motion was seconded and passed by unanimous vote.

#### Chair’s selection of two members to serve on the Forensic Science Board

Before selecting two members to serve on the Forensic Science Board, Mr. Bono asked for an explanation as to the difference between the Forensic Science Board and the Scientific Advisory Committee. Mr. Marone explained that the Board is delegated with addressing policy and business issues, while the Committee is delegated with providing technical advice. The purpose of having two Committee members on the Board is to have direct communication between the Board and Committee.

Mr. Bono selected himself and Ms. Lee to serve as the two Committee members on the Forensic Science Board. There was no dissent to the Chair’s selections.

#### Public Comment

Dr. Poklis made a motion to accept public comment at the next meeting and all future meetings. The motion was seconded and passed unanimously. It was agreed that the Chair would decide the length of time to allow members of the public to speak at each meeting.

#### The Department’s Response to the American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) Recommendations

Mr. Marone provided the Committee with an overview of the Department’s response to the ASCLD/LAB recommendations. One of the reviews was conducted by ASCLD/LAB, which made eight recommendations. Dr. Eisenberg, a member of the other independent review, stated that his group spent a week reviewing 200 cases and made 4 recommendations, which have been incorporated by the Department. He stated that their review found no systemic errors. Overall, Dr. Eisenberg stated that the Department’s response did a good job clarifying the areas that his review highlighted.

Mr. Marone highlighted Appendix 7 of the Department's letter responding to the recommendations because this was the only area where the Department did not include the reviewer's recommendations verbatim.

Dr. Krane questioned the lab's interpretation of mixtures and distributed a recently released article from the Journal of Forensic Sciences that he co-authored entitled "Empirical analysis of the STR profiles from conceptual mixtures."

The complete reference to the paper is "Paoletti DR, Doom TE, Krane CM, Raymer ML, Krane DE. Empirical analysis of the STR profiles resulting from conceptual mixtures. J Forensic Sci. 2005;50(6):1361-1366. "

After discussion, there was general consensus among the Committee members that the Department should be held to standards that are generally accepted in the scientific community and being used by other laboratories across the country and not those from a recently released article that has not yet been reviewed or critiqued by the Forensic Science community.

Ms. Given made a motion to accept the document as an appropriate reply to ASCLD/LAB's recommendations. The motion was seconded.

Dr. Poklis moved to close discussion. Motion carried by unanimous vote with the exception of Dr. Krane, who abstained.

Dr. Poklis called the question. The motion carried by unanimous vote with the exception of Dr. Krane, who again abstained because he felt that he did not have sufficient access to the validation studies underlying the procedures at issue.

Dr. Krane asked if he could see documentation of the validation studies completed by the Department. There was discussion on the Committee's overall purpose and how it related to details such as validation studies. The Committee concluded that, given the accreditation status of the DFS and the numerous audits of the lab and its supporting documentation, they did not need to review the validation studies in order to accept the DFS's response to the ASCLD/LAB recommendations. There was consensus that Dr. Krane could see the validation studies if there was a specific reason related to the Committee's functions.

#### Next Meeting

The Committee agreed to meet again on February 7, 2006 at 9 a.m. Mr. Bono advised that he will allow 3 minutes for each member of the public to speak at the next meeting and asked that the public notice for the meeting reflect the time constraint.

Mr. Bono requested that copies of the presentation on the history of the Department be sent to all Committee members.

### Adjournment

The meeting adjourned at 10:45 am.